

Interviews

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| Agenda Item # | 2 |
| Meeting Date | December 6, 2004 |
| Prepared By | Jessie Carpenter Deputy Clerk |
| Reviewed By | Wayne Hobbs Deputy City Manager |

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| Discussion Item | Ethics Commission Interviews - David Pittman |
| Background | <p>The Ethics Commission, as defined in Takoma Park Code, Chapter 5. Ethics (The Ethics Ordinance), is composed of up to seven members appointed by Council. The responsibilities of the Commission are: (1) to devise, receive and maintain all forms generated by the Ethics Ordinance; (2) to provide advisory opinions to persons subject to the Ordinance; (3) to hear and decide any inquiry or complaint regarding an alleged violation of the Ethics Ordinance; (4) to conduct a public information program regarding the purposes and application of the Ordinance; (5) to recommend legislative changes and improvements to the Ordinance; and (6) to promulgate regulations to accompany the Ordinance.</p> <p>Commissioners are appointed to staggered two-year terms, beginning October 1 and ending September 30. At this time, there are two vacancies on the Commission. Vacancies have been advertised in the City Newsletter.</p> <p>David Pittman of Ward 3 has expressed interest in appointment and will be present for an interview on Monday evening.</p> |
| Policy | Council conducts interviews of individuals interested in appointment/reappointment to statutory committees. |
| Fiscal Impact | None. |
| Attachments | Committee roster, letter of application. |
| Recommendation | Interview applicant. |
| Special Consideration | |

ETHICS COMMISSION
(2-Year Terms)

(12-01-04)

| NAME | WARD | TERM EXPIRES |
|-----------------------------|-------------|---------------------|
| Mark Freedman (Chairman) | 1 | 9/30/05 |
| Arthur Gary | 6 | 9/30/05 |
| VACANT | | 9/30/05 |
| Greg Lebel | 1 | 9/30/06 |
| Kevin Sturtevant | 3 | 9/30/06 |
| Michael W. Richards | 1 | 9/30/06 |
| VACANT | | 9/30/06 |

November 16, 2004

To Whom It May Concern:

I would like to be considered for one of the vacant positions on the Takoma Park Ethics Commission. Having enjoyed living in Takoma Park for ten years, I would now like to make a contribution to this fine community.

I believe that my professional experience makes me well-qualified to serve on the Ethics Commission. I am the Director of Compliance and Privacy Officer for a nationwide third party administrator of health and pension plans, specializing in multi-employer plans sponsored by labor unions. I am responsible for interpreting government regulations and ensuring that our operations comply with them. I perform a quasi-legal function without giving legal opinions, and am accustomed to obtaining legal advice from in-house counsel and outside counsel as needed.

My most challenging recent assignments have been the HIPAA Privacy and Security Rules, which contain many parallels to Takoma Park's Ethics Code, as illustrated in the attached table.

Please contact me if you have any questions about my qualifications or my interest in serving on the Ethics Commission.

Sincerely,

David S. Pittman

Takoma Park, MD 20912

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| HIPAA applies to “covered entities”, which may be individuals or other entities. | The Ethics Code applies to “covered persons”, which may be individuals or business entities. |
| HIPAA required the development and implementation of several new forms, such as Authorizations and requests to exercise individual privacy rights. | The Ethics Commission is responsible for devising and maintaining forms needed to implement the Code. |
| HIPAA requires educating the workforce regarding privacy and security. | The Commission is responsible for conducting a public information program. |
| As the Privacy Officer, I am responsible for responding to inquiries and resolving complaints. | The Commission is responsible for receiving and reviewing inquiries and complaints. |
| HIPAA prohibits certain actions and permits or requires others. | The Ethics Code prohibits certain actions and permits others. |
| HIPAA restricts disclosures of confidential information | The Ethics Code prohibits most disclosures of confidential information. |
| HIPAA provides protection for whistle-blowers. | The Ethics Code prohibits retaliatory action. |